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**May 17, 2004**

Please hand deliver the following facsimile to:

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Re: **U.S. Patent Appl. No. 09/126,559**Filed: **July 30, 1998****Originals Will Not Follow**Facsimile No.: **(703) 872-9306**Number of pages (including this page): **18**From: **David C. Pauling**Title: **Associate**Direct Telephone No.: **650-739-3949**JP No.: **JP006664**CAM No.: **101962-999041****OFFICIAL****RECEIVED  
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**Message:**

Per your request, attached please find a copy of our response as filed on January 14, 2004 for the above-referenced patent application.

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Date Mailed 1/14/2004

Serial No. 09/126,559

Filed July 30, 1998

Inventor Capon et al.

For COMPOSITIONS AND METHODS FOR DETERMINING ANTI-VIRAL DRUG SUSCEPTIBILITY AND RESISTANCE AND ANTI-VIRAL DRUG SCREENING

1. Amendment and Response Under 37 C.F.R. Section 1.111 (14 pgs.)
2. Petition for Extension of Time (3 mos. - in dupl.)
3. Change of Correspondence Address
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File no.: 11068-043-999

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Application of: Capon *et al.*

Confirmation No.: 9053

Serial No.: 09/126,559

Art Unit: 1648

Filed: July 30, 1998

Examiner: Z. Lucas

For: COMPOSITIONS AND METHODS FOR  
DETERMINING ANTI-VIRAL DRUG  
SUSCEPTIBILITY AND RESISTANCE  
AND ANTI-VIRAL DRUG SCREENINGAttorney 011068-043-999  
Docket No.:AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants have carefully considered the non-final Office Action mailed July 15, 2003, in connection with the above-captioned patent application. Applicants kindly request reconsideration of the claims in light of the amendments and remarks that follow.

By his signature affixed to Page 14 of this submission, Applicants' representative hereby represents that he is authorized to represent the Applicants pursuant to Rule 34(a) of the Rules of Practice.

In this response, the Amendments to the claims begin on page 2, while the remarks begin on page 6.

Applicants submit herewith:

- 1) A Petition for Three Months' Extension of Time.